

POST-MORTEM ESTATE PLANNING

SPRING 2020

BRIAN D. CORORVE

C. CHRISTINE BORRETT

CLASSROOM: TBD

WEDNESDAY: 7:30-9:30 P.M.

I. Purpose of Course.

This course is designed (i) to familiarize students with the laws (including the Internal Revenue Code and Texas Estates Code) of relevance in the practice area of estate planning, with special focus on post-mortem estate planning; and (ii) to develop students' ability to understand and apply basic post-mortem estate planning techniques in view of these laws and the common legal needs of clients.

II. Topics to Be Discussed in this Course.

<u>DATE</u>	<u>TOPICS</u>
1/15	Introduction to Course; Overview of Estate Administration (CCB-1)
1/22	Overview of Transfer Tax System; Fundamentals of Estate Planning (BC-1)
1/29	Tax Effects of Death (Basis, Estate Taxation, Income Taxation) (CCB-2)
2/5	Income Taxation of Estates and Trusts (Generally; Planning Opportunities; Elections) (BC-2)
2/12	Funding Bequests; Making Distributions (BC-3)
2/19	Other Administration Issues; agreements not to fund (CCB-3)
2/26	Revocable Inter Vivos Trusts as Estate Surrogates (CCB-4)
3/4	Termination of Estates; Releases (BC-4)
3/11	NO CLASS: SPRING BREAK
3/18	Disclaimers: (BC-5)

3/25	Tips for preparing Estate Tax Returns including adequate disclosure requirements (CCB-5)
4/1	Estate Tax Return Compliance Issues; Audit Procedures (BC-6)
4/8	Special Use Valuation (CCB-6)
4/15	Deferral of Taxes; Special Payment Provisions (CCB-7)
4/22	Review CCB & BC
5/06	FINAL EXAM (6PM to 8PM)

III. **Required Materials.**

- A. **Primary Reading:** Periodically assigned materials.
- B. **Statute Book:** Daniel J. Lathrope. Selected Federal Taxation Statutes and Regulations (2019 edition).

In addition, students may occasionally receive photocopied or electronic documents to supplement or replace portions of the required materials. Students are responsible for reading such documents as assigned.

IV. **Reading Assignments.**

Students must read the assigned portions of the required materials and statutory provisions in accordance with this syllabus and as announced periodically in class, by posting, or by email. Each reading assignment must be completed by the date corresponding to the assignment.

V. **Class Participation.**

Students must participate sufficiently and professionally in class (as determined by the professor) in order to pass this course. Students should expect to participate significantly every day of class. All students are required to complete all assigned problem set(s) (if any) assigned for the relevant day of class. Repeated failure to complete the problem sets in a professional manner (as determined in the sole discretion of the professor) is grounds for failing this course.

The professionalism expected of students includes (1) **respect** for every class member at all times; (2) **advance, diligent preparation** for every class unless you notify me in advance of a legitimate reason for not being prepared adequately; (3) **seriously striving** to learn the material as it is presented in class, even if that requires you to schedule office visits and/or participate in a study group; and (4) using technology in the classroom **exclusively** for appropriate course-related reasons (except in the case of an emergency).

VI. **Learning Outcomes.**

Through this course, students should (i) familiarize themselves with the laws (including the Internal Revenue Code and Texas Estates Code) of relevance in the practice area of estate planning, with special focus on post-mortem estate planning; and (ii) develop their ability to understand and apply basic post-mortem estate planning techniques in view of these laws and the common legal needs of clients.

VII. **Assessment.**

Assuming sufficient class participation and professional conduct, a student's grade will be based upon the student's performance on the final exam, to be administered as scheduled by the University of Houston Law Center (UHLC). The final exam is open-assigned materials, open-statute book, open-notes, and open-outline (provided that the outline is produced primarily by the student using it, acting alone or in collaboration with other students enrolled in this section of the course).

VIII. **Office Hours.**

By appointment.

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713-979-4479
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IX. **Counseling and Psychological Services.**

Counseling and Psychological Services (CAPS) can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS (www.uh.edu/caps) by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the "Let's Talk" program, a drop-in consultation service at convenient locations and hours around campus. http://www.uh.edu/caps/outreach/lets_talk.html

X. **Student Handbook and Compliance with Honor Code.**

Each student is responsible for complying with the requirements governing students in the UHLC's student handbook. With respect to the attendance policy, each student must record his or her class attendance and report to me concerning the same.